

LEGISLATIVE BILL 548

Approved by the Governor April 30, 2003

Introduced by Aguilar, 35

AN ACT relating to elections; to amend section 32-241, Revised Statutes Supplement, 2002; to prohibit certain acts by employers of election workers and by election officials; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 32-241, Revised Statutes Supplement, 2002, is amended to read:

32-241. (1) Any person who is appointed in any county to serve as a judge or clerk of election, a ~~ex~~ precinct or district inspector, a canvassing board member, or any other election worker shall not be subject to discharge from employment, loss of pay, loss of overtime pay, loss of sick leave, loss of vacation time, the threat of any such action, or any other form of penalty as a result of his or her absence from employment due to such service if he or she gives reasonable notice to his or her employer of such appointment. Reasonable notice shall be waived for those persons appointed as judges or clerks of election on the day of election to fill vacancies. Any such person shall be excused upon request from any shift work, without loss of pay, for the hours he or she is required to serve and, if he or she is required to serve eight hours or more, for eight hours prior to and eight hours following the hours he or she is required to serve.

(2) No employer shall subject an employee serving as a judge or clerk of election, a ~~ex~~ precinct or district inspector, a canvassing board member, or any other election worker to coercion, discharge from employment, loss of pay, loss of overtime pay, loss of sick leave, loss of vacation time, the threat of any such action, or any other form of penalty on account of his or her absence from employment by reason of such service, except that an employer may reduce the pay of an employee for each hour of work missed by an amount equal to the hourly compensation other than expenses paid to the employee by the county for such service.

(3) A violation of this section is a Class V misdemeanor. The election commissioner or county clerk shall submit the names of persons violating this section to the local law enforcement agency for citation pursuant to sections 32-1549 and 32-1550.

(4) The election commissioner or county clerk shall not provide a list of judges or clerks of election, ~~ex~~ precinct or district inspectors, canvassing board members, or other election workers to any committee or to any person until the election has been completed.

Sec. 2. Original section 32-241, Revised Statutes Supplement, 2002, is repealed.